

MESSAGE NO: 3066304 MESSAGE DATE: 03/07/2013

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE: CTDIS-Court ORD Dissolved

FR CITE: 78 FR 14270 FR CITE DATE: 03/05/2013

REFERENCE 9086202
MESSAGE #
(s):
CASE #(s): A-201-822

EFFECTIVE DATE: 03/05/2013 COURT CASE #:

PERIOD OF REVIEW: 07/01/2006 TO 06/30/2007

PERIOD COVERED: 07/01/2006 TO 06/30/2007

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Liquidation instructions for stainless steel sheet and strip in coils from Mexico produced and exported by ThyssenKrupp Mexinox S.A. de C.V. for the period 07/01/2006 through 06/30/2007 (A-201-822)

1. On 03/05/2013, the Department of Commerce (Commerce) announced a settlement of NAFTA litigation concerning the final results of five administrative reviews in the case of stainless steel sheet and strip in coils from Mexico (SSSS from Mexico) (78 FR 14270). As a result of the termination of the NAFTA proceeding, the continued suspension of liquidation to which message number 9086202, dated 03/27/2009, refers is now lifted.
2. For all shipments of SSSS from Mexico produced and exported by ThyssenKrupp Mexinox S.A. de C.V., entered, or withdrawn from warehouse, for consumption during the period 07/01/2006 through 06/30/2007, liquidate at the cash deposit rate in effect on the date of entry.
3. As a result of Commerce's clarification of its assessment regulation on 05/06/2003 (68 FR 23954), for all shipments of SSSS from Mexico produced by ThyssenKrupp Mexinox S.A. de C.V., entered, or withdrawn from warehouse, for consumption during the period 07/01/2006 through 06/30/2007, entered under case number A-201-822-001, and not covered by paragraph 2, assess antidumping duties at the all-others rate in effect on the date of entry. The all-others rate for SSSS from Mexico is 30.85 percent.
4. The lifting of suspension of liquidation of entries of subject merchandise covered by paragraph(s) 2 and 3 occurred with the publication of the notice of settlement of NAFTA proceedings (78 FR 14270, 03/05/2013).
5. There are no injunctions applicable to the entries covered by this instruction.
6. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication

of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

7. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the manufacturer, producer, seller, or exporter, to be reimbursed antidumping duties, CBP shall double the antidumping duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

8. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Import Administration, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O7:PE.)

9. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party